



**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

Executive Registry	
86-	1194x

March 20, 1986

WH

Honorable William J. Casey  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Mr. Casey:


Enclosed is a proposed Executive order entitled "Delegating Certain Functions of the President Relating to Federal Civilian Employee and Contractor Travel Expenses".

In accordance with the provisions of Executive Order No. 11030, as amended, it was submitted to this office, along with the enclosed transmittal memorandum, by the General Services Administration.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any objections or comments they should be received in this office no later than Monday, March 24, 1986.

Comments or inquiries may be submitted by telephone to Mrs. Rosalyn Rettman of this office (395-5600).

Sincerely,

  
John H. Carley  
General Counsel

Enclosure



General  
Services  
Administration

Office of  
General  
Counsel

Washington, DC 20405

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MAR 7 1986

Dear Mr. Cooney:

As discussed by phone, please find attached a draft Executive Order which would delegate a portion of the President's authority under 5 U.S.C. 5702(a) to the Secretary of Defense and the Secretary of State.

If I can be of any further assistance please call me at 557-8417.

Sincerely,

LENNARD S. LOEWENTRITT  
Chief Counsel  
Customer Support Management Area

Mr. John Cooney  
Deputy General Counsel  
Office of Management and Budget  
Executive Office Building  
17th & Pa. Ave., NW, Room 464  
Washington, DC 20503

**Page Denied**



Administrator  
General Services Administration  
Washington, DC 20405

February 27, 1986

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Dear Jim:

I am writing to request that the current delegations of authority in the area of reimbursement for travel expenses be revised in light of newly-enacted legislation.

The Federal Civilian Employee and Contractor Travel Expenses Act of 1985 (Public Law 99-234) provides, among other things, that an employee traveling on official business outside the continental United States is entitled to (A) a per diem allowance at a rate not to exceed an amount established by the President or his designee or (B) reimbursement for actual and necessary expenses not to exceed an amount established by the President or his designee. The Act gives the Administrator of General Services authority to set per diem rates and establish amounts for actual and necessary expenses associated with travel within the continental United States.

The earlier statute, 5 U.S.C. 5702, gave the President or his designee the authority to set per diem rates for travel outside the United States. In Executive Order 11294, dated August 4, 1966, the President delegated to the Secretary of State authority to set per diem rates for foreign areas outside the continental United States and to the Secretary of Defense for non-foreign areas outside the continental United States. Section 5702 also limited reimbursement for actual and necessary expenses associated with travel outside the United States to \$33 plus the per diem rate established for the locality.

Since the new statute broadens the President's authority to include establishing amounts for actual and necessary expenses outside the continental United States, the current Executive Order needs to be revised. It may well be that other minor elements of the Order need updating as well.

I propose that the revised Executive Order extend the current arrangement to actual and necessary expenses, that is, the Secretary of State have authority for foreign areas outside the continental United States and the Secretary of Defense for non-foreign areas outside the continental United States. My staff has informed the Departments of State and Defense of this proposal and is awaiting their replies.

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The provision of the Act granting the President this new authority will be effective by July 1, 1986. Given this short time frame, I have made my staff available to provide whatever assistance OMB staff may require as they draft a revised Executive Order. Lennard S. Loewentritt (557-8417) will be the GSA contact for this purpose.

With best wishes.

Sincerely,

  
Terence C. Golden

The Honorable James C. Miller III, Director  
Office of Management and Budget  
Old Executive Office Building  
Washington, D.C. 20503

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General Office  
Services of the  
Administration Administrator Washington, DC 20405



January 30, 1986

MEMORANDUM FOR TERENCE C. GOLDEN  
ADMINISTRATOR

FROM: G. GARY KOWALCZYK *Gay*  
ACTING ASSOCIATE ADMINISTRATOR FOR POLICY ANALYSIS

SUBJECT: Revised Executive Order for Overseas Travel

The recently enacted per diem legislation gives the President, or his designee, the authority to establish reimbursement ceilings under an actual expense system for travel outside the continental United States. Previously, this ceiling was set by statute at \$33 above whatever the per diem rate was for a given overseas locality. Overseas per diem rates are prescribed by the Secretary of State for all foreign areas and the Secretary of Defense for all non-foreign areas (i.e., Guam).

Since the President has been granted this new authority, he will need to sign an Executive Order delegating this authority. We believe that this authority to establish actual expense ceilings should be given to the Secretary of State and the Secretary of Defense, respectively, since they now already establish per diem rates overseas.

Attached for your signature is a letter to Jim Miller that describes this situation and outlines our proposed solution.